

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

-----	X
JASON BRAUNSKILL,	:
ON BEHALF OF HIMSELF AND ALL OTHERS	:
SIMILARLY SITUATED,	:
	:
Plaintiff,	:
	:
v.	:
	:
NRA GROUP, LLC,	:
D/B/A NATIONAL RECOVERY AGENCY,	:
	:
Defendant.	:
-----	X

Case No.:

NOTICE OF REMOVAL

COMES NOW Defendant, NRA Group, LLC d/b/a National Recovery Agency, ("NRA Group"), and for Removal of the above-styled cause to this Court, respectfully states:

1. On or about April 7, 2017, an action was commenced against Defendant in the Supreme Court of New York; County of Suffolk entitled *Jason Braunskill, on behalf of himself and all others similarly situated v. NRA Group, LLC d/b/a National Recovery Agency*, under Index No.: 606530/2017. A copy of the Summons with Notice therein was served on Defendant on August 4, 2017.

2. This Notice of Removal is being filed within 30 days of the date upon which Defendant received a copy of the Plaintiff's Summons with Notice pursuant to § 303 of the Limited Liability Company Law.

3. A true and accurate copy of the Summons with Notice in this case is attached hereto as Exhibit A.

4. Plaintiff's Summons alleges that Plaintiff is an individual residing in Centereach, New York.

5. Defendant NRA Group is a company with its principal place of business in Harrisburg, Pennsylvania.

6. The Summons alleges the action is brought under the Fair Debt Collections Practices Act, 15 U.S.C. § 1692, et seq. As such, this court has Federal Question jurisdiction over this action pursuant to 28 U.S.C. §1331.

7. This case is a civil action which may be removed to this Court by Defendant under the provisions of 28 USC §§1331 and 1441, in that Plaintiff alleges the controversy arises under 15 USC §1681(b).

8. Concurrently, Defendant has provided written notice of this Notice of Removal to Plaintiff, filing a copy with the Supreme Court of New York, Suffolk County as required by 28 U.S.C. §1446(d).

WHEREFORE, Defendant prays that the Court assume jurisdiction of this cause and proceed with it to completion, and to enter such orders and judgments as may be necessary to protect its jurisdiction or as justice may require.

Dated: September 5, 2017

THE SALVO LAW FIRM, P.C.

By: s/ Cindy D. Salvo
CINDY D. SALVO

185 Fairfield Avenue, Suite 3C/3D
West Caldwell, New Jersey 07006
(973) 226-2220
(973) 900-8800 (fax)
csalvo@salvolawfirm.com

Attorneys for Defendant,
NRA Group, LLC d/b/a
National Recovery Agency

EXHIBIT A

State of New York - Department of State
Division of Corporations

Party Served:
NRA GROUP, LLC

Plaintiff/Petitioner:
BRAUNSKILL, JASON

NRA GROUP, LLC
2491 PAXTON STREET
HARRISBURG, PA 17111

Dear Sir/Madam:

Enclosed herewith is a legal document which was served upon the Secretary of State on 08/04/2017 pursuant to SECTION 303 OF THE LIMITED LIABILITY COMPANY LAW. This copy is being transmitted pursuant to such statute to the address provided for such purpose.

Very truly yours,
Division of Corporations

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK**

-----x
JASON BRAUNSKILL ON BEHALF OF HIMSELF AND
ALL OTHERS SIMILARLY SITUATED

Plaintiff/Petitioner,

-against-

Index No. 606530/17

NRA GROUP, LLC D/B/A NATIONAL RECOVERY
AGENCY

Defendant/Respondent.
-----x

**NOTICE OF COMMENCEMENT OF ACTION SUBJECT
TO MANDATORY ELECTRONIC FILING**

PLEASE TAKE NOTICE that the matter captioned above has been commenced as an electronically filed case in the New York State Courts Electronic Filing System ("NYSCEF") as required by CPLR § 2111 and Uniform Rule § 202.5-bb (mandatory electronic filing). This notice is being served as required by that rule.

NYSCEF is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and unrepresented litigants who have consented to electronic filing.

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the County Clerk and the court and served on other parties simply, conveniently, and quickly. NYSCEF case documents are filed with the County Clerk and the court by filing on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. The documents are served automatically on all consenting e-filers as soon as the document is uploaded to the website, which sends out an immediate email notification of the filing.

The NYSCEF System charges no fees for filing, serving, or viewing the electronic case record, nor does it charge any fees to print any filed documents. Normal filing fees must be paid, but this can be done on-line.

Parties represented by an attorney: An attorney representing a party who is served with this notice must either: 1) immediately record his or her representation within the e-filed matter on the NYSCEF site; or 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 202.5-bb(e)]

Parties not represented by an attorney: Unrepresented litigants are exempt from e-filing. They can serve and file documents in paper form and must be served with documents in paper form. However, an unrepresented litigant may participate in e-filing.

For information on how to participate in e-filing, unrepresented litigants should contact the appropriate clerk in the court where the action was filed or visit www.nycourts.gov/efileunrepresented. Unrepresented litigants also are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the action was filed. An unrepresented litigant who consents to e-filing may cease participation at any time. However, the other parties may continue to e-file their court documents in the case.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646- 386-3033; e-mail: efile@nycourts.gov).

Dated: 04/07/2017

Signature

MITCHELL L PASHKIN

Name

Firm Name

775 Park Avenue, Ste. 255

Address

Huntington, NY 11743

City, State, and Zip

631-335-1107

Phone

mpash@verizon.net

E-Mail

To:

9/3/15

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

JASON BRAUNSKILL,
ON BEHALF OF HIMSELF AND ALL OTHERS
SIMILIARLY SITUATED,

Plaintiff,

-against-

NRA GROUP, LLC,
D/B/A NATIONAL RECOVERY AGENCY,

Defendant.

INDEX NO. 606530/2017
FILING DATE: 04/07/17

SUMMONS
WITH NOTICE

Plaintiff designates
Suffolk County
as the place of trial

The basis of the venue is
Plaintiff's residence

To the above named Defendant(s):

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with the summons, to serve a notice of appearance, on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if the summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the sum of \$1,000 as regards Plaintiff individually and \$500,000.00 to be distributed among the class members in any certified class with interest thereon from the 8th day of April 2016, together with the costs of this action and attorney's fees.

TAKE NOTICE that the object of this action and the relief sought is to recover damages for violations of 15 USC 1692, et. seq. based on Exhibit A and that in case of your failure to answer, judgment will be taken against you for the sum of \$1,000 as regards Plaintiff individually and \$500,000.00 to be distributed among the class members in any certified class with interest thereon from the 8th day of April 2016, together with the costs of this action and attorney's fees.

Dated: April 7, 2017

/s/

Mitchell L. Pashkin
Attorney For Plaintiff
775 Park Avenue, Ste., 255
Huntington, NY 11743
(631) 629-7709

NYSCEF DOC. NO. 2

NATIONAL RECOVERY AGENCY2491 Paxton Street, Harrisburg PA 17111
Toll Free: (800) 360-4319

RECEIVED NYSCEF: 04/07/2017

Jason Braunskill
42 Crown Acres Rd
Centereach, NY 11720-1704PIN #: 25807294
NRA ID: 5416P9
TOTAL DUE: \$120.00

Dear Jason Braunskill,

Your account has been forwarded to this office for collections.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Below is a listing of accounts included in the total amount due listed above:

<u>CREDITOR</u>	<u>ACCOUNT #</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>COSTS</u>	<u>AMT OWED</u>
EXPRESS SCRIPTS	135355778883	01/05/16	120.00	.00	120.00

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt, or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Unless you dispute this debt, your payment should be made directly to this office. Please choose one of the following methods of payment. Please note that a service charge of twenty dollars will be added to all checks returned to us by your bank as permitted by law.

NOTICE: SEE REVERSE SIDE FOR IMPORTANT NOTICES AND CONSUMER RIGHTS

PAYMENT OPTIONS

Telephone Hours:

Monday – Thursday 8:00 A.M. to 8:30 P.M.
Friday 8:00 A.M. to 5:00 P.M.
Saturday 8:00 A.M. to 12:30 P.M.
Eastern Standard Time
(800) 360-4319

Send Mail To:

NATIONAL RECOVERY AGENCY
PO BOX 67015
HARRISBURG, PA 17106-7015

Via Internet:

Pay online by credit card
or check at
www.nationalrecovery.com

Calls to or from NATIONAL RECOVERY AGENCY may be recorded or monitored.

☞ To ensure proper credit to your account please detach bottom portion and return it with payment in the enclosed envelope. ☜

PO Box 67015
Harrisburg, PA 17106-7015

Toll Free: (800) 360-4319
Statement Date: April 8, 2016

Jason Braunskill
42 Crown Acres Rd
Centereach, NY 11720-1704

IF PAYING BY CREDIT CARD, FILL OUT BELOW		
<div style="display: flex; justify-content: space-around;"> <div> <input type="checkbox"/> VISA </div> <div> <input type="checkbox"/> MasterCard </div> </div>		
CARD NUMBER	SECURITY/CW2 CODE	
SIGNATURE	EXP DATE	
TOTAL DUE \$120.00	\$ PAYMENT AMOUNT	NRA ID # 5416P9
For Online Payments visit www.nationalrecovery.com		

MAKE PAYMENT AND REMIT TO:

NATIONAL RECOVERY AGENCY
PO Box 67015
Harrisburg, PA 17106-7015

NEW YORK CITY RESIDENTS:

New York City Department of Consumer Affairs License number: 1239906

Pursuant to New York law, 23 N.Y.C.R.R. § 1.2, debt collectors, in accordance with the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to: a) the use or threat of violence; b) the use of obscene or profane language; and c) repeated phone calls made with the intent to annoy, abuse or harass.

Pursuant to New York law, 23 N.Y.C.R.R. § 1.2, if a creditor or debt collector receives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt: 1) Supplement security income (SSI); 2) social security; 3) public assistance (welfare); 4) spousal support, maintenance (alimony) or child support; 5) unemployment benefits; 6) disability benefits; 7) workers' compensation benefits; 8) public or private pensions; 9) veterans' benefits; 10) federal student loans, federal student grants, and federal work study funds; and 11) ninety percent (90%) of your wages or salary earned in the last sixty (60) days.

MEDICAL PATIENTS PLEASE COMPLETE THE INFORMATION BELOW

OR

SEND FRONT/BACK COPY OF INSURANCE CARD

Patient Name:	Date of Birth:	Primary Insurance Co: _____ Policy #: _____ Group #: _____ Address: _____ City: _____ State: _____ Zip: _____ Effective Date: _____
Guarantor's Name:	Date of Birth:	
Address: _____ City: _____ State: _____ Zip: _____ Phone #: _____		Secondary Insurance Co: _____ Policy #: _____ Group #: _____ Address: _____ City: _____ State: _____ Zip: _____ Effective Date: _____
Policy Holder Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Phone #: _____		

Index No. 606530/2017

JASON BRAUNSKILL,
ON BEHALF OF HIMSELF AND ALL OTHERS
SIMILIARLY SITUATED,

Plaintiff(s) ,

-VS-

NRA GROUP, LLC,
D/B/A NATIONAL RECOVERY AGENCY,

Defendant(s) .

SUMMONS WITH NOTICE

Mitchell L. Pashkin certifies that, to the best of his knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of the annexed paper(s) or the contentions therein are not frivolous as defined in 22 NYCRR 130-1.1.(c).

/s/

Mitchell L. Pashkin
Attorney For Plaintiff(s)
775 Park Avenue, Ste., 255
Huntington, NY 11743
(631) 629-7709